

STUART F. DELERY  
Assistant Attorney General

DIANE KELLEHER  
Assistant Branch Director

BRIGHAM J. BOWEN  
Trial Attorney  
Civil Division, Federal Programs Branch  
U.S. Department of Justice  
P.O. Box 883  
Washington, D.C. 20044  
Tel.: (202) 514-6289  
Fax: (202) 616-8470  
E-mail: Brigham.Bowen@usdoj.gov

*Attorneys for Defendants Federal Bureau  
of Investigation, Eric Holder, State  
Department, John Kerry, James B.  
Comey, and Christopher M. Piehota*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

YONAS FIKRE,  <i>Plaintiff,</i>	Case 3:13-cv-00899-BR
v.  THE FEDERAL BUREAU OF INVESTIGATION, et al.,  <i>Defendants.</i>	<b>OFFICIAL-CAPACITY DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT</b>

Pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6), defendants Federal Bureau of Investigation, Eric Holder, Department of State, John Kerry, James B. Comey, and Christopher M. Piehota submit this motion to dismiss all claims asserted against them in Plaintiff's Second Amended Complaint. As grounds for this motion, the above defendants submit their concurrently filed memorandum in support. Pursuant to Local Rule 7-1, the undersigned conferred with counsel for Plaintiff, and counsel indicated that Plaintiff opposes the motion.

Dated: August 8, 2014

Respectfully submitted,

STUART F. DELERY  
Assistant Attorney General

DIANE KELLEHER  
Assistant Branch Director

s/ Brigham J. Bowen  
BRIGHAM J. BOWEN  
Trial Attorney  
Civil Division, Federal Programs Branch  
U.S. Department of Justice  
P.O. Box 883  
Washington, D.C. 20044  
Tel.: (202) 514-6289  
Fax: (202) 616-8470  
E-mail: Brigham.Bowen@usdoj.gov

*Attorneys for Defendants Federal Bureau  
of Investigation, Eric Holder, State  
Department, John Kerry, James B.  
Comey, and Christopher M. Piehota*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing motion was delivered to all counsel of record via the Court's ECF notification system.

s/ Brigham J. Bowen  
BRIGHAM J. BOWEN